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SENATE BILL 26

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO COURTS; PROVIDING FOR AN ADDITIONAL MAGISTRATE IN THE GUADALUPE MAGISTRATE DISTRICT; PROVIDING FOR APPOINTMENT AND ELECTION; PROVIDING ADDITIONAL RESOURCES FOR THE DISTRICT ATTORNEY AND THE PUBLIC DEFENDER; AMENDING A SECTION OF THE NMSA 1978; MAKING APPROPRIATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 35-1-13 NMSA 1978 (being Laws 1968, Chapter 62, Section 15, as amended) is amended to read:

"35-1-13. MAGISTRATE COURT-- GUADALUPE DISTRICT. -- There shall be [~~one magistrate~~] two magistrates in Guadalupe magistrate district whose principal court is in Santa Rosa. The [~~magistrate shall ride~~] magistrates shall rotate riding circuit to Vaughn on a regularly scheduled basis. "

Section 2. TEMPORARY PROVISION-- GUADALUPE MAGISTRATE--

underscored material = new
[bracketed material] = delete

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[bracketed material] = delete

1 APPOINTMENT AND ELECTION. -- The additional magistrate in the
2 Guadalupe magistrate district shall be filled by appointment by
3 the governor. The appointed magistrate shall begin serving on
4 July 1, 2005 and shall serve until succeeded by a magistrate
5 elected at the general election in 2006. The elected
6 magistrate's term of office shall begin on January 1, 2007.

7 Section 3. APPROPRIATIONS. --

8 A. The following amounts are appropriated from the
9 general fund to the following agencies for expenditure in
10 fiscal year 2006 for costs associated with an additional
11 magistrate in the Guadalupe magistrate district:

12 (1) ninety-four thousand dollars (\$94,000) to
13 the administrative office of the courts to provide salary and
14 benefits and supplies, furniture and office equipment for an
15 additional magistrate in the Guadalupe magistrate district;

16 (2) seventy-five thousand dollars (\$75,000) to
17 the fourth judicial district attorney for additional staff due
18 to the increased workload in the Guadalupe magistrate district;
19 and

20 (3) eighty-seven thousand dollars (\$87,000) to
21 the public defender department for additional staff due to the
22 increased workload in the Guadalupe magistrate district.

23 B. Any unexpended or unencumbered balance remaining
24 from any of the appropriations in this section at the end of
25 fiscal year 2006 shall revert to the general fund.

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